REMARKS

In response to the Notice of Non-Compliant Amendment, dated March 25, 2005, with the term for response having been extended 3 month(s), please consider the following remarks. Although the Applicants are only required to submit the corrected portion of the non-compliant portion of the Amendment, Applicants have also included the compliant portion of the Amendment in order to aid the Examiner.

The above referenced patent application has been reviewed in light of the Office Action, dated June 30, 2004, in which:

- claims 1, 3-11, and 13-19 are rejected under 35 U.S.C. § 112, 2nd paragraph as being indefinite;
- claims 1, 3-7, 10-11, and 13-18 are rejected under 35 U.S.C. § 103(a) on Shen *et al.* (hereinafter 'Shen;' US Patent No. 6,414,661 B1) in combination with Yamazaki *et al.* (hereinafter 'Yamazaki;' US Patent No. 6,528,951 B2); and
- claims 8, 9, and 19 are rejected under 35 U.S.C. § 103(a) on Shen and Yamazaki in further combination with Kane (US Patent No. 6,229,508 B1).

Reconsideration of the above referenced patent application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1, 3-11, 13-19 are now pending the above referenced patent application. Claims 1 & 11 have been amended to address minor matters of form, and, therefore, do not result in prosecution history estoppel and either broaden or do not alter the scope of the claims. No new matter has been entered. No claims have been cancelled or added.

1. 35 U.S.C. § 112, 2nd paragraph

1.1. Claims 1, 3-11, and 13-19

The PTO has rejected claims 1, 3-11, and 13-19 under 35 U.S.C. § 112, 2nd paragraph. Although Applicants respectfully disagree that these claims are indefinite, rather than belabour the point, Applicants have amended the claims to address the PTO's concerns. No new matter has been entered. Support for the amendment lies within the original claims and the specification as originally filed. It is respectfully asserted that these amendments are merely directed to matters of form, and, therefore, do not result in prosecution history estoppel and either broaden or do not alter the scope of the claims. It is respectfully requested that the foregoing claim rejections be withdrawn.

2. 35 U.S.C. § 103(a)

2.1. Shen and Yamazaki: Claims 1, 3-7, 10-11, and 13-18

The PTO has also rejected claims 1, 3-7, 10-11, and 13-18 under 35 U.S.C. § 103(a) based upon Shen in combination with Yamazaki. The rejection of these claims is respectfully traversed.

M.P.E.P. § 706.02(j) sets forth the standard for a § 103(a) rejection:

> To establish a prima facie case of obviousness, three basic criteria must be met.
>
> First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings.
>
> Second, there must be a reasonable expectation of success.
>
> Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.
>
> The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (whitespace added).

Applicant begins with claim 1. Claim 1, as amended, recites:

> 1: (Currently Amended) A method for at least partially compensating luminance of an emissive display comprising:
>
> having a desired luminance, as a function of time, for one or more organic light emitting diodes (OLEDs) included in said emissive display;
>
> estimating the amount of degradation of the OLEDs; and
>
> utilizing, at least in part, the estimated amount of degradation, attempting to adjust (adjusting) the luminance of the OLEDs to the desired luminance.

Applicants respectfully assert that the combination set forth by the PTO fails to meet the requirement for a *prima facie* case for a § 103(a) rejection for at least the following reasons.

It is respectfully asserted that neither Shen nor Yamazaki, either alone or in combination, suggests or describes attempting to adjust (adjusting) the luminance of the OLEDs to the **desired luminance, which is a function of time**.

Shen instead recommends calibrating **the display device** to provide "**uniform light output**." Applicants respectfully assert that the limitation of the Applicants' claim refers to constant luminance **temporally**, as the one or more OLEDs degrades. In contrast, Shen's reference to "uniform light output" does not deal with the OLEDs but to the display as a whole, and a uniform light output **spatially** across the display. Nor does Shen suggest or describe adjusting the actual luminance to a desired luminance with is based upon time.

As the Examiner points out, Yamazaki does not address **temporal (*i.e.* time based)** degradation but instead Yamazaki addresses degradation due to **temperature**. See, Yamazaki, column 1, lines 18-22 and column 31, lines 49 to column 32, line 14.

Therefore, even if the combination were proper, although Applicants believe that it is not, nonetheless, the combination would still fail to produce the invention as recited in the rejected claims. It is, therefore, respectfully requested that the rejection of this claim be withdrawn.

Claims 13-7, 10-11, and 13-18 either depend from and include the limitations of claim 1, or include a substantially similar and patentably distinct limitation as claim 1. Therefore, these claims patentably distinguish from the cited patents on the same basis as claim 1. It is, therefore, respectfully requested that the PTO withdraw the rejections of these claims.

2.2. Kane, Shen, and Yamazaki: Claims 8, 9, and 19

The PTO has also rejected claims 8, 9, and 19 under 35 U.S.C. § 103(a) on Shen and Yamazaki in combination with Kane. The rejection of these claims is also traversed.

Applicant begins with claim 8. Claim 8 recites:

8: (Original) The method of claim 7, wherein increasing includes utilization of a lookup table.

Claim 8 ultimately depends from the independent claim 1. Claim 1, as amended, recites:

1: (Currently Amended) A method for at least partially compensating luminance of an emissive display comprising:

having a desired luminance, as a function of time, for one or more organic light emitting diodes (OLEDs) included in said emissive display;

estimating the amount of degradation of the OLEDs; and

utilizing, at least in part, the estimated amount of degradation, attempting to adjust (adjusting) the luminance of the OLEDs to the desired luminance.

Applicants respectfully assert that the combination set forth by the PTO fails to meet the requirement for a *prima facie* case for a § 103(a) rejection for at least the following reasons.

It is respectfully asserted that neither Shen, Yamazaki, nor Kane, either alone or in combination, suggests or describes attempting to adjust (adjusting) the luminance of the OLEDs to the **desired luminance, which is a function of time**. See the discussion above. Therefore, even if the combination were proper, although Applicants believe that it is not, nonetheless, the combination would still fail to produce the invention as recited in the rejected claims. It is, therefore, respectfully requested that the rejection of this claim be withdrawn.

Claims 9 and 19 either depend from and include the limitations of claim 8, or include a substantially similar and patentably distinct limitation as claim 8. Therefore, these claims patentably distinguish from the cited patents on the same basis as claim 8. It is, therefore, respectfully requested that the PTO withdraw the rejections of these claims.

CONCLUSION

In view of the foregoing, it is respectfully asserted that all claims pending in this application, as amended, are in condition for allowance. If the Examiner has any questions, they are invited to contact the undersigned at 503-264-7002. Reconsideration of this patent application and early allowance of all claims is respectfully requested.

Respectfully submitted,

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